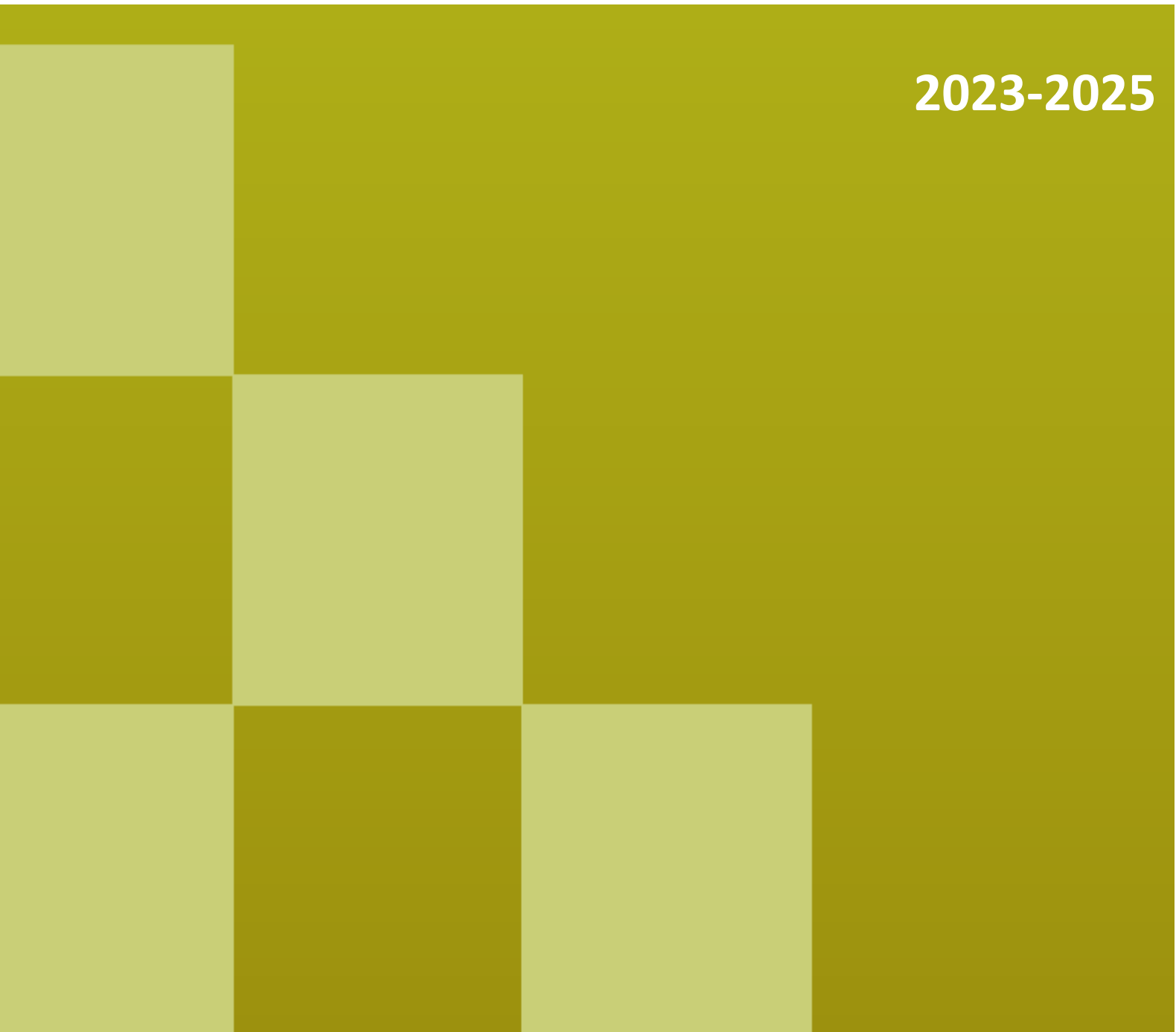


Enhancing Public Confidence

The Legitimacy plan of the Police and Crime Commissioner
for Hertfordshire

2023-2025



Our Shared Values



Values are the guiding principles that provide an organisation with purpose and direction, establishes standards, expectations and behaviours that defines the culture.

Leadership

we inspire and motivate ourselves and others across the emergency services, criminal justice and the wider public sector to effect positive change.

Integrity

we are transparent, trustworthy and accountable in all we do.

Inclusivity

we are respectful and supportive of others and encourage diversity of opinion.

Resourcefulness

We seek and advocate for innovative approaches to overcome challenges.

Impact

we are focused on reducing crime, and supporting victims, witnesses and our communities.

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Foreword by the Police and Crime Commissioner for Hertfordshire

“The Police are the Public and the Public are the Police.” This most profound statement, first notably used by Sir Robert Peel in 1829 at the inception of the ‘new police’ was one of the nine guiding principles of how policing should function and emphasised the importance of public representation, consent and confidence.

The doctrine of Policing by Consent and the Peelian principles remain today at the heart of modern policing in the United Kingdom and here in Hertfordshire are the foundation on which our police service is based. As Commissioner I have worked with the Chief Constable and Force Executive to maintain and, where necessary enhance the confidence our communities have in the Constabulary.



His Majesty’s Inspectorate of Constabularies and Fire and Rescue Services (HMICFRS) measures the confidence communities have in their local police service. Until 2018, this measure, categorised as ‘Legitimacy’ was an individual grade awarded on the basis of three specific questions; *“To what extent does the force treat all of the people it serves with fairness and respect ?”*, *“How well does the force ensure that its workforce behaves ethically and lawfully ?”* and *“To what extent does the force treat its workforce with fairness and respect ?”* The answers to these questions were informed by reference to such areas as representation, proportionality as well as the appropriate use of police powers. In 2018, the last HMICFRS inspection which included Legitimacy as a separate area, the force was graded as “Good”.

Since 2020 the area of Legitimacy has been judged as a golden thread running through all areas of the Constabulary’s work rather than as a separate and distinct theme. The key areas however remain the same and assessments take into account the force’s ethics, transparency, its relationship with the public, fairness and representation.

In addition to national oversight, my Community Safety and Criminal Justice Plan reinforced the importance of fairness, equality and confidence in policing, and I identified a number of actions to embed a culture of transparency, accountability and ethical behaviour within the Constabulary. (OPCC (Hertfordshire), 2022). Indeed, I am one of the few Police and Crime Commissioners nationally who has taken responsibility for

initial handling of public complaints, providing a degree of independence and enhancing oversight. This in turn promotes learning to resolve complaints more quickly, but where appropriate still provides for a formal investigation if required.

Recent months have seen a number of high-profile cases nationally where police officers have been involved in the most horrific crimes, leaving lasting impacts on individuals, families and society as a whole. I cannot commend highly enough the bravery and courage of those who have come forward to ensure these individuals were brought to justice. These crimes rightly cause every force to look internally at their own processes to ensure they are fit for purpose and prevent a recurrence, and as far as possible to restore public confidence.

I remain convinced that a key factor in public confidence is public representation within the Constabulary. The achievement of such representation is not without its challenges and whilst the objective remains a high priority for me, I recognise that it brings risks. Not everyone applying to be a police officer does so prompted by the truly altruistic mindset and desire to contribute to their communities that is essential for all candidates.

Policing is a truly honourable profession and there is no doubt in my mind that the vast majority of officers and staff nationally have made their career decisions based on the purest principles and service and the genuine desire to make a contribution to society.

On their first day of service new officers are given significant responsibility, authority and powers to enable them to fulfil their duties in keeping people safe, catching criminals and reducing crime. Whilst for the majority these are but necessary elements of the role, there are regrettably those who see the acquisition of these features as a means to undertake the most heinous and despicable crimes. I remain convinced that the number of such individuals who successfully infiltrate the police service represents a tiny minority, but the damage that this small number of people do to policing, public perception and of course individual victims of their crimes is colossal.

As Commissioner I have a key role to play in supporting the Chief Constable and Constabulary as a whole to prevent the risks posed by people who abuse a position of trust by reducing their ability to enter the organisation, and where they have been able to join, identifying and removing them as quickly as possible. Prevention is an area in which Hertfordshire Constabulary leads nationally. The force's 'Prevention First' programme aims to tackle issues by identifying precursors and addressing these in partnership with other agencies. This same ethos is invaluable in maintaining public confidence through early intervention and proactive measures.

Although perpetrators such as Wayne Couzens and David Carrick, served in forces outside Hertfordshire and represent a minority of all officers and staff, it is not sufficient to designate these sickening events as examples of isolated *bad apples* in an otherwise healthy barrel. To do so risks complacency. To stretch this analogy further and to paraphrase a leading academic in the field of police corruption, “*whose duty is it to check the fruit and who is responsible for applying the insecticide ?*” (Punch, 2009). As Commissioner, I am in no doubt as to my responsibilities to support the Constabulary to select only the very finest recruits, ensure they are trained to the highest levels and provide the very best public service to the communities of Hertfordshire.

Hertfordshire Constabulary enjoys high levels of public confidence and support and in a recent publication by the Office of National Statistics, Hertfordshire Constabulary demonstrated consistently high public perceptions in areas of respect, fairness and overall confidence. (ONS, 2023)

I of course recognise the importance of other police legitimacy factors and these are covered in some detail in my main Community Safety and Criminal Justice Plan, and in no way do I wish to detract from their importance. In this document however, I focus on what I see as the most immediate and pressing matter of the *Abuse of Power by Police officers and Staff* to commit the most worrying crimes. Individuals who betray public trust in this way have no place in any police service and I am therefore defining the activity that I am asking the Constabulary to undertake with my support, to maintain and further enhance the levels of public confidence within Hertfordshire.

In writing this strategy I have also noted the findings of Baroness Casey in her recent report into the standards of behaviour and internal culture of the Metropolitan Police Service. (Casey, 2023). Whilst the majority of her findings are specific to the Metropolitan Police and in many cases relate to the scale of the organisation or particular specialist teams found only in London, it is right to consider these findings early, and ensure any learning that may be more widely applicable is captured and acted upon. It is also right, at a time of increased public concern, to reiterate my personal commitment to the notion of policing by consent, based on a recognised legitimacy of the police service to deliver for all communities across the county.

David Lloyd
Police and Crime Commissioner
For Hertfordshire

Purpose of this document

The British public expect their police service to protect them and behave in a manner that is compatible with the trust and confidence that is vested in them. The vast majority of officers and staff carry out their work with the utmost integrity and the good of the public at the forefront of their minds. Regrettably however, a very small number of individuals exploit the position they hold, and in some cases commit the most devastating of crimes against the very people they have responsibility to protect.

The purpose of this document is to recognise the significant damage to public confidence in policing nationally caused by a small number of individuals who have betrayed the huge trust placed in them, and to outline the measures the Police and Crime Commissioner for Hertfordshire will take in his oversight and support role to minimise the risk locally of individuals abusing their position.

This strategy in no way encroaches on the operational independence of the Chief Constable, moreover it is designed to provide support to the Constabulary in their endeavour to provide a world class policing service to the residents of Hertfordshire based on neighbourhood policing, community partnership, integrity and transparency. The document compliments and builds upon the series of actions already set out in the Community Safety and Criminal Justice (CSCJ) Plan under the *'Embedding a culture of transparency, accountability, and ethical behaviour'* chapter.

In the following pages the four key areas of vetting, internal police culture, internal investigations, and welfare and wellbeing, all of which underpin organisational integrity and transparency, are considered alongside how the Police and Crime Commissioner will seek to support the Constabulary in reviewing and where necessary developing existing practice.

Supporting Key Areas

Vetting

The selection of both police officers and staff for positions within the Constabulary consists of initial application, assessment and interview. For officers this process follows the nationally agreed directions. Having been selected, both officers and staff are required to undergo background checks into their personal circumstances and character. Depending on the role for which they have applied, these checks may also consist of enquiries into family members, friends and associates, and financial situation.

Whilst initial vetting takes place at the point of recruitment, a change in personal circumstances may require vetting to be completed again, as can promotion, movement to a different department or where an officer or staff member has been found to have breached the code of conduct. By default, and in the absence of a re-vetting requirement, clearances are valid for either five, seven or ten years (depending on the level).

The purpose of this vetting is clear, in that it serves to minimise the prospect of people entering the Constabulary who may present a risk to the public or those who seek to misuse the responsibility, authority and power that necessarily comes with being a member of the Constabulary. Vetting for Hertfordshire Constabulary is undertaken by the collaborated Professional Standards Department, which serves Bedfordshire, Cambridgeshire and Hertfordshire forces. Being a collaborated unit, it is joint funded by the three organisations. Any force may however request additional or bespoke resources through additional funding where necessary. This is a feature the Hertfordshire Police and Crime Commissioner has previously used, following a request from the Chief Constable, in the employment of additional staff for Hertfordshire vetting enquiries, and remains an ongoing option.

Key Challenges

Detailed vetting is a time-consuming process which whilst automated at the point of information submission by candidates, still requires human oversight to deal with the significant amount of information returned by national computer systems and databases. For all but the most unusual of names, a number of positive traces to be identified, many of which may not relate to the individual being vetted. Additionally the rise of social media and an individual's 'on-line presence' have created new opportunities to gain an insight into a person's character and possible motivations for joining the police service. For a variety of reasons including technology, capacity and existing systems, these opportunities are not fully exploited.

Current vetting processes for recruitment also only provide an insight into the historic and current character or circumstances of an individual and provides no insight into the future potential issues through psychological assessment.

Whilst our current vetting processes are compliant with national Approved Professional Practice (APP), a recent report by the College of Policing made 43 national recommendations to forces ranging from enhanced use of interviews to fully capitalising on social media material.

What we will do.

The Commissioner will support the Chief Constable to further develop the existing vetting processes to make use of new and innovative methods in our desire to recruit only properly motivated individuals to protect the communities of Hertfordshire.

The Commissioner will work with the Constabulary to ensure that resource is available for continued vetting of officers particularly following a change of personal circumstances or misconduct findings.

These objectives are in keeping with The Community Safety and Criminal Justice Plan for Hertfordshire which seeks to ensure a focus on officer's motivations, behaviours, and values throughout their service.¹

Internal Police Culture

The culture of any organisation is integral to how it feels, how it operates and the values it holds. The culture of Hertfordshire Constabulary is generally positive, reflecting the College of Policing's Competency and Values Framework (The College of Policing, 2017), the Code of Ethics (The College of Policing, 2014) and the Seven Principles of Public Life (UK Cabinet Office, 1995). It would however be complacent to think that there are not areas for development. Reports of unfairness and discrimination, whilst few in number have a real impact on those on the receiving end. Likewise the way in which officers and staff behave towards each other is likely to be a proxy measure for how they deal with the public.

The Chief Constable and his executive team work hard to promote a positive working atmosphere based on equality and fairness through regular staff roadshows, face to face discussions and visibility. Initiatives in force promote the reporting of inappropriate conduct either through line managers or anonymous channels. Key to the organisational culture is supervision at all levels, but with a particular emphasis on those middle managers who are charged with ensuring the Constabulary's philosophies and values are both communicated and upheld by those under their command. This is never more so than following a large-scale recruitment campaign resulting in hundreds of new officers joining the service.

¹ Everybody's Business – The Community Safety and Criminal Justice Plan for Hertfordshire 2022-2029, Objective 89. Pp 71

The Commissioner and Chief Constable are both clear that there is no place in Hertfordshire Constabulary for discrimination, nor those who do not share the organisational values of public service and integrity. These core tenets of organisational culture should be a golden thread running through everything we do.

Key Challenges

Hertfordshire Constabulary has recently undertaken a significant recruitment programme in line with the government's uplift programme. Indeed the force has exceeded its recruitment target and now has more officers than ever before. Whilst the enthusiasm of our new officers brings significant benefits, their limited experience, coupled with a new average age demographic, particularly in front line policing where new recruits are generally posted prior to moving to more specialist units during their careers, may present challenges.

Whilst looking to learn from new officers and avoiding the traditional trap of recruiting difference, only to mould it into existing form, it is important that key themes of police culture such as public service, selflessness, accountability and honesty remain constant. It is also important to recognise that as human beings undertaking difficult and challenging roles, on occasions our officers and staff make honest mistakes. In such circumstances, a learning culture based on a desire to develop and get better provides far greater longer-term outcomes than misconduct proceedings.

It is important however that where individual training and feedback fails to deliver a service improvement, more formal interventions by way of capability and Professional Standards Department interventions remain available. For these to be effective, clear communication lines and information sharing is required.

What we will do.

The Commissioner will ensure the Constabulary is sufficiently resourced to build on previous cultural audits and has the ability, to revisit the audits and address any areas of concern.

The OPCC will work with the Chief Officer Team to ensure the cultural values and ethics of a truly public centred police service are upheld.

The OPCC will continue to support the use of 'Reflective Practice' to encourage individual learning in circumstances where honest mistakes by officers and staff have led to service levels falling below those expected.

The OPCC will maintain its customer service focus on resolving service issues with a focus on learning and supervision where appropriate, referring more serious matters for formal investigation through enhanced communication channels with relevant departments.

These objectives reinforce those outlined in the Community Safety and Criminal Justice Plan aiming to provide a police service based on fairness, equality and public confidence.²

Internal Investigations

Hertfordshire Constabulary works in collaboration³ with Bedfordshire and Cambridgeshire to provide a joint capability to undertake complaints and misconduct investigations. This pooling of resources allows for greater expertise in this specialist field, reduces the need for officers to investigate individuals from their own force, and also allows for a Counter-Corruption Unit.

In addition to internal quality assurance processes of the Constabulary, the Office of the Police and Crime Commissioner also undertakes an oversight function in this important area. This takes the form of dip sampling of completed misconduct investigations to ensure correct processes have been adhered to, as well as regular scrutiny of outcomes by race and demographic, with feedback provided to the Constabulary.

Key Challenges

Recent high-profile events across the UK have resulted nationally in an increased number of members of the public coming forward as victims of non-recent crimes perpetrated by police officers. The bravery required to do so cannot be underestimated and it is right therefore that such allegations are thoroughly investigated and appropriate action taken. Such investigations require trained and well-equipped specialist officers to be available to identify, review and evaluate evidence, as well as support complainants through the process. Where misconduct is identified robust, proportionate and timely responses are required on the part of the Constabulary. All of these measures, along with the maintenance of a Counter-Corruption capability requires funding and resourcing.

The UK government has announced proposed changes to the Police Conduct Regulations 2020. These regulations outline the process for both the conduct of investigations and misconduct proceedings where required. They also provide for valuable independence in the form of a Legally Qualified Chair (LQC) of a panel where dismissal may be warranted. Currently, following a disciplinary hearing where an officer has been found guilty of Gross Misconduct the panel members will impose a sanction ranging from a warning to dismissal. Whilst the Chief Constable has the opportunity to make representations at this point, nationally there have been occasions where the panel has imposed a warning, contrary to the views of the Chief Constable who believed dismissal was required. This anomaly appears at variance with the wide operational discretion vested in Chief Constables and their duty to promote public confidence. In some cases such

² Everybody's Business – The Community Safety and Criminal Justice Plan for Hertfordshire 2022-2029, Objectives 98, 106. Pp 71, 72.

³ Bedfordshire, Cambridgeshire and Hertfordshire Forces (BCH)

circumstances have led to officers returning to forces against the wishes of the Chief Constable. The proposed changes are expected to provide for the default dismissal of officers who are found to committed Gross Misconduct, unless exceptional circumstances apply. They are also likely to amend the chairmanship of the panel to a senior police officer, whilst maintaining a legal qualified representative as a panel member.

What we will do.

The OPCC will ensure that the organisation has sufficient resource to maintain effective internal investigations of those subject to misconduct allegations or public complaints.

The OPCC will continue its dip sampling role of how complaints against police have been handled including complainant care, timeliness, process and officer wellbeing, proving feedback to investigative teams and raising concerns with the Chief Constable where necessary.

These objectives further develop aims of the Community Safety and Criminal Justice Plan to embed a culture of transparency, accountability and ethical behaviour.⁴

Welfare and Wellbeing

Whilst policing undoubtedly provides great rewards in terms of job satisfaction and a sense of making a real difference to communities and individuals, it also exposes officers to the worst of human nature in their daily dealings with perpetrators of crime. In addition, officers are often asked to deal with members of the public at the lowest times of their lives, whether victims of crime, or having suffered bereavement.

A number of resources are in place to assist officers and staff who may experience mental ill-health as a result of their work, which of course must take its toll on the wellbeing of officers, and manifests itself in a variety of ways, from changes in temperament, mistakes, and in some cases impacting on longer term mental health.

When officers or staff are suffering from poor mental health their judgement may be impacted upon, causing them to make decisions or take actions they would not normally consider. If identified early enough mistakes and the results of poor judgement can often be rectified without detriment to the public, organisation or the individual.

⁴ Everybody's Business – The Community Safety and Criminal Justice Plan for Hertfordshire 2022-2029, Objectives 90 - 98 Pp 71,72.

The Constabulary operates a number of programmes designed to support officers and staff through difficult times, these include an Employee Assistance Programme, Staff Support networks, such as chaplaincy, Parental and Childcare Support, an Occupation Health Unit and a Welfare and benevolent fund.

In addition to the force's provisions, the Police Federation, the Police Superintendents' Association and the Police Staff union, Unison, provide welfare support to members.

Key Challenges

The Constabulary, like all other public services, maintains a Public Interest Disclosure Policy (Whistle blowing), as part of its efforts to tackle wrongdoing, misconduct, corruption and other serious breaches of the code of conduct. Indeed the police code of conduct places an obligation on members to report wrongdoing. The act of making such disclosure to line managers or the Professional Standards Department can be stressful, particularly against the backdrop of an already high-pressured role as investigations can take some time to resolve and may lead to officers and staff giving evidence to hearings or tribunals against colleagues.

It is of course appropriate that officers and staff subject to conduct investigations are supported by the Constabulary and advised by the Police Federation, Police Superintendents' Association or the Police Staff union, Unison. There must however be equally robust support structures and professional assistance available to those courageous officers and staff who come forward to report wrongdoing within the organisation. It is worthy of note that these points already form part of the Constabulary's Welfare Strategy, and the actions below therefore seek to build on an established foundation.

What we will do.

The Commissioner will hold the Chief Constable to account for the support provided to officers and staff making Public Interest Disclosure as well as those under investigation for alleged breaches of the Code of Professional Conduct.

The OPCC will work with the Constabulary and representative bodies to develop communication lines to build workforce confidence in the organisation's Public Interest Disclosure policy with an emphasis on support available to members who come forward to report wrongdoing.

The OPCC will work with the Constabulary and representative bodies to ensure resource is available to support the welfare and wellbeing of officers and staff who come forward to report wrongdoing.

These objectives reflect and support the work already being undertaken in accordance with the Community Safety and Criminal Justice Plan.⁵

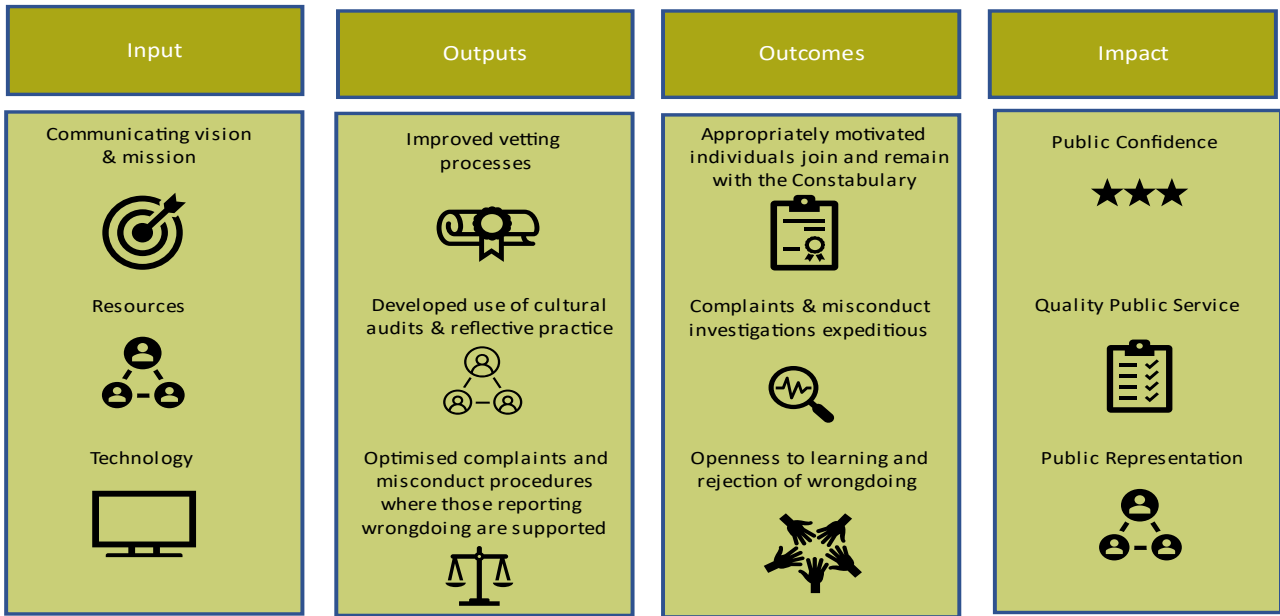
⁵ Everybody's Business – The Community Safety and Criminal Justice Plan for Hertfordshire 2022-2029, Objectives 115, 116. Pp 73

Monitoring

The continued monitoring of work to achieve the objectives outlined in this strategy forms part of the Police and Crime Commissioner's wider remit to hold the Chief Constable to account for the delivery of an efficient and effective police service.

Within three months of publication, the Office of the Police and Crime Commissioner will work with key stakeholders to develop a plan of activity to support these objectives. This plan will reflect a number of aspects, leading to the ultimate goal or impact of enhancing public confidence in the police service for Hertfordshire. The plan will also be reviewed within 12 months to ensure it remains an effective pathway for delivery.

The delivery plan will demonstrate connections between inputs, outputs, outcomes and how they influence the ultimate impact of public confidence.



Whilst ongoing monitoring of the activity will take place at regular internal OPCC and Constabulary meetings, reporting against the strategy as a whole will be incorporated into the Commissioner's annual report.

Appendices

List of Objectives

Appendix A

Area	Objective
Vetting	<i>The Commissioner will support the Chief Constable to further develop the existing vetting processes to make use of new and innovative methods in our desire to recruit only properly motivated individuals to protect the communities of Hertfordshire.</i>
	<i>The Commissioner will work with the Constabulary to ensure that resource is available for continued vetting of officers particularly following a change of personal circumstances or misconduct findings.</i>
Culture	<i>The Commissioner will ensure the Constabulary is sufficiently resourced to build on previous cultural audits and has the ability to address any areas of concern.</i>
	<i>The OPCC will work with the Chief Officer Team to ensure the cultural values and ethics of a truly public centred police service are upheld.</i>
	<i>The OPCC will continue to support the use of 'Reflective Practice' to encourage individual learning in circumstances where honest mistakes by officers and staff have led to service levels falling below those expected.</i>
	<i>The OPCC will maintain its customer service focus on resolving service issues with a focus on learning and supervision where appropriate, referring more serious matters for formal investigation through enhanced communication channels with relevant departments.</i>
Misconduct and Investigations	<i>The OPCC will ensure that the organisation has sufficient resource to maintain effective internal investigations of those subject to misconduct allegations or public complaints.</i>
	<i>The OPCC will continue its dip sampling role of how complaints against police have been handled including complainant care, timeliness, process and officer wellbeing, proving feedback to investigative teams and raising concerns with the Chief Constable where necessary.</i>
Welfare and Wellbeing	<i>The Commissioner will hold the Chief Constable to account for the support provided to officers and staff making Public Interest Disclosure as well as those under investigation for alleged breaches of the Code of Professional Conduct.</i>
	<i>The OPCC will work with the Police Federation and UNISON to develop communication lines to build workforce confidence in the organisation's Public Interest Disclosure policy with an emphasis support available to members who come forward to report wrongdoing.</i>
	<i>The OPCC will work with the Police Federation and UNISON to ensure resource is available to support the welfare and wellbeing of officers and staff who come forward to report wrongdoing.</i>

- Casey. (2023). *An independant review into the standards of behaviour and internal culture of the Metropolitan Police Service*. London: The House of Lords, UK Parliament.
- ONS. (2023). *Crime Survey for England and Wales (CSEW) estimates of personal and household crime, anti-social behaviour, and public perceptions, by police force area, year ending September 2022*. London: Office for National Statistics.
- OPCC (Hertfordshire). (2022). *Everybody's Business - The Community Safety and Criminal Justice Plan for Hertfordshire*. Harpenden: The Office of the Police and Crime Commissioner .
- Punch, M. (2009). *Police Corruption - Exploring Police Deviance and Crime*. London: Willan.
- The College of Policing. (2014). *The Code of Ethics - A Code of Practice for the Principles and Standards of Professional Behaviour for the Policing Profession in Engalnd and Wales*. Coventry: The College of Policing.
- The College of Policing. (2017). *The Competency and Values Framework*. Harrowgate: The College of Policing.
- UK Cabinet Office. (2023, May 25). *Committee on Standards in Public Life*. Retrieved from 7 Principles of Public Life: <https://www.gov.uk/government/publications/the-7-principles-of-public-life/the-7-principles-of-public-life--2>

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www.instagram.com/hertsopcc/



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www.facebook.com/hertspcc

Emergency

In an emergency always dial 999. An emergency is when

- A crime is in progress or a suspect is nearby.
- Someone is injured, threatened or in danger.
- There is risk of injury or of serious damage.
- You need immediate police assistance.

Non-emergency

For general non-emergency police calls, dial 101*

You can also use the webchat facility to speak directly to a communications operation.

Crimes can also be reported online at herts.police.uk/report

* Calls to 101 cost 15p for the duration of your call. If you have a calling plan with free 01 numbers you can use 01707 354000 as an alternative

